THE HYDERABAD CINEMA (REGULATION) ACT, 1952.

No. XLVI of 1952.

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*THE HYDERABAD CINEMAS (REGULATION) ACT. 1952.

No. XLVI OF 1952.

An Act to repeal and re-enact with modifications the Hyderabad Cinematograph Act, 1952.

Preamble.

WHEREAS in consequence of the enactment of the Cinematograph Act, 1952 (Central Act XXXVII of 1952) it is expedient to repeal and re-enact with modifications the Hyderabad Cinematograph Act, 1952;

IT is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Hyderabad Cinemas (Regulation) Act, 1952.

(2) It extends to the whole of the State of Hyderabad.

(3) It shall come into force on such date as the Government may, by notification in the Jarida, appoint.

Definitions.

2. In this Act unless there is anything repugnant in the subject or context,—

(*a*) " cinematograph " includes any apparatus for the representation of moving pictures or series of pictures;

(*b*) "Collector," in relation to the cities of Hyderabad and Secunderabad, means the Commissioner of Police;

(*c*) "place" includes a house, building, tent and any description of transport, whether by river, land or air;

(*d*) "prescribed" means prescribed by rules made under this Act.

Cinematograph exhibitions to be licensed.

3. Save as otherwise provided in this Act, no person shall give an exhibition by means of a cinematograph elsewhere than in a place licensed under this Act or otherwise than in compliance with any conditions and restrictions imposed by such licence.

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Licensing authority.

4. The authority having power to grant licences under this Act (hereinafter referred to as the licensing authority) shall be the Collector :

Provided that the Government may, by notification in the Jarida, constitute for the whole or any part of the State of Hyderabad, such other authority as it may specified in the notification to be the licensing authority for the purposes of this Act.

Restrictions on powers of licensing authority.

5. (1) The licensing authority shall not grant a licence under this Act, unless it is satisfied that—

(*a*) the rules made under this Act have been substantially complied with, and

(*b*) adequate precautions have been taken in the place, in respect of which the licence is to be given, to provide for the safety of persons attending exhibitions therein.

(2) Subject to the foregoing provisions of this section and to the control of the Government, the licensing authority may grant licences under this Act to such persons as that authority thinks fit and on such terms and conditions and subject to such restrictions as it may determine.

(3) Any person aggrieved by the decision of a licensing authority refusing to grant a licence under this Act may, within such time as may be prescribed, appeal to the Government or to such officer as the Government may specify in this behalf and the Government or the officer, as the case may be, may make such order in the case as it or he thinks fit.

(4) The Government may, from time to time, issue directions to licensees generally or to any licensee in particular for the purpose of regulating the exhibition of any film, or class of films, so that scientific films, films intended for educational purposes, films dealing with news and current events, documentary films or indigenous films secure an adequate opportunity of being exhibited, and where any such directions have been issued those directions shall be deemed to be additional conditions and restrictions subject to which the licence has been granted.

Power of Government or Collector to suspend exhibition of films in certain cases.

6. (1) The Government in respect of the whole of the State of Hyderabad or any part thereof and the Collector in respect of the area within his jurisdiction may, if he is of opinion that any film which is being publicly exhibited is likely to cause a breach of the peace, by order, suspend the exhibition of the film and during such suspension the film shall be deemed to be an uncertified film in the State, part or area, as the case may be.

(2) Where an order under sub-section (1) has been issued by the Collector, a copy thereof, together with a statement of reasons therefor, shall forthwith be forwarded by him to the Government, and the Government may either confirm or discharge the order.

(3) An order made under this section shall remain in force for a period of two months from the date thereof, but the Government may, if it is of opinion that the order should continue in force, direct that the period of suspension shall be extended by such futher period as it thinks fit.

Penalties for contravention of this Act.

7. If the owner or person in charge of a cinematograph uses the same or allows it to be used, or if the owner or occupier of any place permits that place to be used in contravention of the provisions of this Act or of the rules made thereunder, or of the conditions and restrictions upon or subject to which any licence has been granted under this Act, he shall be punishable with fine which may extend to one thousand rupees and, in the case of a continuing offence, with a further fine which may extend to one hundred rupees for each day during which the offence continues.

Power to revoke licence.

8. Where the holder of a licence has been convicted of an offence under section 7 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952) or under section 7 of this Act, the licence may be revoked by the licensing authority.

Power to make rules.

9. (1) The Government may, by notification in the Jarida, make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, rules made under this Act may provide for :—

(*a*) the terms, conditions and restrictions, if any, subject to which licences may be granted under this Act;

(*b*) the regulation of cinematograph exhibitions for securing public safety;

(*c*) the time within which and the conditions subject to which an appeal under sub-section (3) of section 5 may be preferred.

Power to exempt.

10. The Government may, by order in writing exempt, subject to such conditions and restrictions as it may impose, any cinematograph exhibition or class of cinematograph exhibitions from any of the provisions of this Act or of any rules made thereunder.

Repeal and Savings.

11. The Hyderabad Cinematograph Act, 1952, is hereby repealed :

Provided that all rules made or deemed to be made and all notifications, orders and licences issued or deemed to be issued under the said Act, which were in force immediately before the commencement of this Act, so far as they could validly have been made or issued under this Act, shall continue in force and be deemed to have been made or issued under this Act until they are superseded or modified by any competent authority under this Act.